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DOC #:
DATE FILED: 8/12/14

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PLAINTIFFS' EXECUTIVE COMMITTEES

In Re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
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VIA FACSIMILE

August 29, 2014

The Honorable Frank Maas
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 740
New York, NY 10007

Responsive papers shall be due 10/2/14.
Filer, USMS, 9/2/14

Re: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (FM)*

Dear Judge Maas:

Plaintiffs write in response to defendant Dallah Avco's August 28, 2014 letter to the Court requesting an extension to respond to plaintiffs' August 25, 2014 motion to compel, and to address an apparent miscommunication between the parties relative to the defendant's request and the existing discovery briefing schedule. Based on the circumstances clarified by defendant's moving papers, plaintiffs do not oppose Dallah Avco's request to extend the due date for its response papers to October 2, 2014.

Per its August 28 letter, Dallah Avco has requested a four-week extension to submit its response to plaintiffs' motion to compel and asks the Court to set a due date of October 2, 2014 for its response. However, Dallah Avco's request is based on an incorrect understanding of the discovery briefing schedule set forth by this Court. Pursuant to the Court's October 25, 2012 Order (ECF No. 2627), a party's opposition papers must be filed within three weeks after receipt of a motion to compel, thereby establishing a September 15, 2014 deadline for Dallah Avco to submit its response (not September 4th as indicated in Dallah Avco's letter).

As the defendant's letter indicates, plaintiffs were willing to agree to a reasonable two-week extension to the deadline for Dallah Avco to file its response. Based on the three-week schedule set out in ECF No. 2627, we understood Dallah Avco to be asking for an additional four weeks beyond the three-week schedule. But using the three-week schedule set out in ECF No. 2627, a two-week extension would set the new deadline at September 29, 2014.

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In short, plaintiffs do not oppose a two-week extension of the deadline set forth in ECF No. 2627 and take no position as to whether the deadline should be September 29 or October 2. Unfortunately, until plaintiffs' receipt of Dallah Avco's August 28 letter yesterday evening, plaintiffs were unaware that there had been a misunderstanding between the parties as to the relief the defendant was actually seeking, and that the parties' proposed briefing extensions and deadlines were just a few days apart.

Plaintiffs apologize to the Court for the earlier confusion and do not object to the proposed extension requested by Dallah Avco.

Respectfully submitted,



Sean P. Carter

THE MDL 1570 PLAINTIFFS' EXECUTIVE
COMMITTEES

SPC/bdw

cc: Members of Plaintiffs' Executive Committees (Via Email w/o Enclosures)
Martin F. McMahon, Esq. (Via Email w/o Enclosures)
Robert K. Kry, Esq. (Via Email w/o Enclosures)
Alan R. Kabat, Esq. (Via Email w/o Enclosures)